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AUG 18 1999

PTO/SB/01 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing
OR
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	99,501
First Named Inventor	Petersen, Donald W.
COMPLETE IF KNOWN	
Application Number	09 / 327,761
Filing Date	June 7, 1999
Group Art Unit	3738
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BONE GRAFT SUBSTITUTE COMPOSITION

the specification of which (Title of the Invention)

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY) 06/07/1999 as United States Application Number or PCT International

Application Number 09/327,761 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 3)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Larry W. McKenzie	28,239		
Russell H. Walker	35,401		

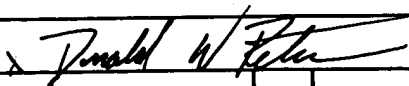
☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

OR ☒ Correspondence address below

Name	Larry W. McKenzie				
Address	Walker, McKenzie & Walker, P.C.				
Address	6363 Poplar Avenue, Suite 434				
City	Memphis	State	TN	ZIP	38119-4896
Country	USA	Telephone	901-685-7428	Fax	901-682-6488

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

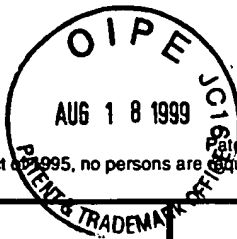
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname		
Donald W.			Petersen		
Inventor's Signature					Date
Residence: City	Lakeland	State	TN	Country	USA
Post Office Address					
Post Office Address	9700 Wood Green Lane				
City	Lakeland	State	TN	ZIP	38002
Country	USA				

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → ☐

AUG 18 1999

PTO/SB/02A (3-97)
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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Warren O.				Haggard			
Inventor's Signature	Warren O. Haggard					Date	7-29-99
Residence: City	Bartlett	State	TN	Country	USA	Citizenship	USA
Post Office Address							
Post Office Address	6600 Stephan Ridge Drive						
City	Bartlett	State	TN	ZIP	38134	Country	USA
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Donald A.				Randolph			
Inventor's Signature	Donald A. Randolph					Date	8/2/99
Residence: City	Wheaton	State	IL	Country	USA	Citizenship	USA
Post Office Address							
Post Office Address	1605 South Prospect Street						
City	Wheaton	State	IL	ZIP	60187	Country	USA
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Cary P.				Hagan			
Inventor's Signature	* [Signature]					Date	7/29/99
Residence: City	Germantown	State	TN	Country	USA	Citizenship	USA
Post Office Address							
Post Office Address	8517 Farmington Cove						
City	Germantown	State	TN	ZIP	38139	Country	USA

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Re: Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donald W. Petersen, Warren O. Haggard, Donald A.
Randolph and Cary P. Hagan
Assignee: Wright Medical Technology, Inc.
Application No.: 09/327,761
Filing Date: June 7, 1999
Group Art Unit: 3738
Examiner:
For: BONE GRAFT SUBSTITUTE COMPOSITION
Docket No.: 99,501

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

POWER OF ATTORNEY AND
CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

The undersigned, assignee of the entire interest in and to an application of
Donald W. Petersen, Warren O. Haggard, Donald A. Randolph and Cary P. Hagan for
U.S. Letters Patent for a BONE GRAFT SUBSTITUTE COMPOSITION, executed as of the
2nd day of August, 1999, and further identified by Docket No. 99,501, hereby
appoints the following attorneys to prosecute this application and transact all
business in the Patent and Trademark Office in connection therewith:

Larry W. McKenzie	Russell H. Walker
Registration No. 28,239	Registration No. 35,401

Send correspondence to:

Walker, McKenzie & Walker, P.C.
6363 Poplar Ave., Suite 434
Memphis, Tennessee 38119-4896

Direct telephone calls to Larry W. McKenzie at (901) 685-7428.

1 The below-identified Assignee certifies that it is the assignee of the entire
2 right, title and interest in the patent application identified above by virtue of an
3 Assignment from the Inventor(s), a copy of which is attached hereto.

4 The undersigned has reviewed all the documents in the chain of title of the
5 patent application identified above and, to the best of the undersigned's knowledge
6 and belief, title is in the Assignee identified below.

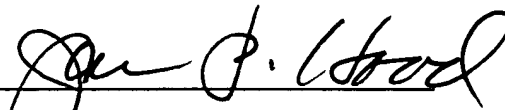
7 The undersigned (whose title is supplied below) is empowered to sign this
8 certificate on behalf of the Assignee.

9 I hereby declare that all statements made herein of my own knowledge are
10 true, and that all statements made on information and belief are believed to be true;
11 and further, that these statements are made with the knowledge that willful false
12 statements, and the like so made, are punishable by fine or imprisonment, or both,
13 under Section 1001, Title 18 of the United States Code, and that such willful false
14 statements may jeopardize the validity of the application or any patent issuing
15 thereon.

16 WRIGHT MEDICAL TECHNOLOGY, INC.,
17 Assignee

18 Date: AUG. 2, 1999

By:


Jason P. Hood
Assistant Secretary

ASSIGNMENT

COPY

WHEREAS, I, Donald W. Petersen of Lakeland, County of Shelby, State of Tennessee, a citizen of the United States of America, having a Post Office address of 9700 Wood Green Lane, Lakeland, Tennessee 38002; am an inventor of a certain new and useful improvements in a BONE GRAFT SUBSTITUTE COMPOSITION (collectively, the INVENTION), for which an application for United States Letters Patent was filed in my name as a joint inventor on June 7, 1999, and further identified by File and Docket No. 99,501, preparatory to obtaining Letters Patent of the United States therefor; and

WHEREAS, I, Warren O. Haggard, of Bartlett, County of Shelby, State of Tennessee; a citizen of the United States of America, having a Post Office address of 6600 Stephan Ridge Drive, Bartlett, Tennessee 38134; am an inventor of certain new and useful improvements in a BONE GRAFT SUBSTITUTE COMPOSITION (collectively, the INVENTION), for which an application for United States Letters Patent was filed in my name as a joint inventor on June 7, 1999, and further identified by File and Docket No. 99,501, preparatory to obtaining Letters Patent of the United States therefor; and

WHEREAS, I, Donald A. Randolph, of Wheaton, County of DuPage, State of Illinois; a citizen of the United States of America, having a Post Office address of 1605 South Prospect Street, Wheaton, Illinois 60187; am an inventor of certain new and useful improvements in a BONE GRAFT SUBSTITUTE COMPOSITION (collectively, the INVENTION), for which an application for United States Letters Patent was filed in my name as a joint inventor on June 7, 1999, and further identified by File and Docket No. 99,501, preparatory to obtaining Letters Patent of the United States therefor; and

WHEREAS, I, Cary P. Hagan, of Germantown, County of Shelby, State of Tennessee; a citizen of the United States of America, having a Post Office address of 8517 Farmington Cove, Germantown, Tennessee 38139; am an inventor of certain new

and useful improvements in a BONE GRAFT SUBSTITUTE COMPOSITION (collectively, the INVENTION), for which an application for United States Letters Patent was filed in my name as a joint inventor on June 7, 1999, and further identified by File and Docket No. 99,501, preparatory to obtaining Letters Patent of the United States therefor; and

WHEREAS, Wright Medical Technology, Inc., a corporation of Delaware; whose Post Office address is 5677 Airline Road, Arlington, Tennessee 38002-9501; is desirous of acquiring the entire right, title and interest in the said INVENTION;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and other good and valuable consideration, We, Donald W. Petersen, Warren O. Haggard, Donald A. Randolph, and Cary P. Hagan (Assignors), by these presents do sell, assign and transfer unto the said Wright Medical Technology, Inc. (Assignee), our full and exclusive right, both domestic and foreign, to the said INVENTION, and our entire right, title, and interest in and to any and all Letters Patents which may be granted therefor, both domestic and foreign.

We, Donald W. Petersen, Warren O. Haggard, Donald A. Randolph, and Cary P. Hagan, hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the said Wright Medical Technology, Inc. (Assignee), as the assignee of the entire right, title, and interest in and to the same, for its sole use and behoof; and for the use and behoof of its legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

Executed this 29th day of July, 1999, at
Arlington TN

Donald W. Petersen 7/29/99
Donald W. Petersen
(Assignor/Inventor)

STATE OF Tennessee)
COUNTY OF Shelby) SS:

Before me personally appeared the said Donald W. Petersen acknowledged the foregoing instrument to be his free act and deed this 29th day of July, 1999.

D. R. Powell
Notary Public

My Commission expires:
08/22/2000

(SEAL)

Executed this 29th day of July, 1999, at
Arlington TN

Warren O. Haggard
Warren O. Haggard
(Assignor/Inventor)

STATE OF Tennessee)
COUNTY OF Shelby) SS:

Before me personally appeared the said Warren O. Haggard acknowledged the foregoing instrument to be his free act and deed this 29th day of July, 1999.

[Signature]
Notary Public

My Commission expires:

08/22/2000

(SEAL)

Executed this 2nd day of August, 1999, at
Wheaton, Illinois.

Donald A. Randolph
Donald A. Randolph
(Assignor/Inventor)

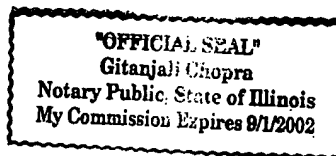
STATE OF Ill)
COUNTY OF Peper) SS:

Before me personally appeared the said Donald A. Randolph acknowledged the foregoing instrument to be his free act and deed this 2nd day of August, 1999.

Gitanjali Chopra
Notary Public

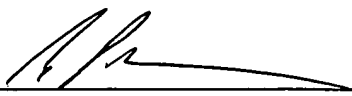
My Commission expires:

9/1/2002



(SEAL)

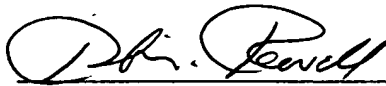
Executed this 29th day of July, 1999, at
Arlington TN



Cary P. Hagan
(Assignor/Inventor)

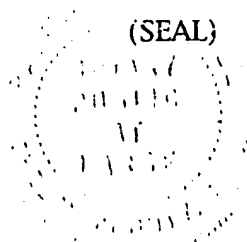
STATE OF Tennessee)
COUNTY OF Shelby) SS:

Before me personally appeared the said Cary P. Hagan acknowledged the foregoing instrument to be his free act and deed this 29th day of July, 1999.



Notary Public

My Commission expires:
08/22/2000



Return to:

Walker, McKenzie & Walker, P.C.
6363 Poplar Ave., Suite 434
Memphis, TN 38119